

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHAEL DWAIN SCOTT,

Plaintiff,

vs.

US AIRWAYS GROUP, INC.,  
COMMUNICATIONS WORKERS OF  
AMERICA, AFL-CIO,

Defendants.

2:06cv192  
Electronic Filing

Judge Cercone  
Magistrate Judge Mitchell

MEMORANDUM ORDER

AND NOW, this 31<sup>st</sup> day of July, 2006, after the plaintiff, Michael Dwaine Scott, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Document No. 3), which is adopted as the opinion of this Court,

IT IS ORDERED that the complaint (Document No. 1) is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.



David Stewart Cercone  
United States District Judge

cc: Honorable Robert C. Mitchell  
United States Magistrate Judge

Lois E. Glanby, Esquire  
152 East Highland Drive  
McMurray, PA 15317